

THE HON. JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) No. CR23-0089-JCC
Plaintiff,)
) (PROPOSED) ORDER GRANTING
v.) UNOPPOSED MOTION TO
GERMAN HEREDIA-FELIX, AND) CONTINUE TRIAL AND PRETRIAL
FERNANDO MERCADO-CASTRO.) MOTIONS DEADLINE
Defendant.)

THE COURT has considered the unopposed motion of the parties to continue the trial date and pretrial motions deadline and finds that:

(a) taking into account the exercise of due diligence, a failure to grant a continuance in this case would deny counsel for the defendants the reasonable time necessary for effective preparation due to counsel's need for more time to review the evidence, consider possible defenses, and gather evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

(b) a failure to grant such a continuance in this proceeding would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

(c) the additional time requested is a reasonable period of delay, as the defendants have requested more time to prepare for trial, to investigate the matter, to gather evidence material to the defense, and to consider possible defenses; and

(d) the ends of justice will best be served by a continuance, and the ends of justice outweigh the best interests of the public and the defendants in any speedier trial, as set forth in 18 U.S.C. § 3161(h)(7)(A); and

(e) the additional time requested between the current trial date of August 7, 2023, and the new trial date is necessary to provide counsel for the defendant the reasonable time necessary to prepare for trial, considering counsel's schedule and all of the facts set forth above; and

(f) the period of delay from the date of this order to the new trial date is excludable time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

IT IS THEREFORE ORDERED that the trial date in this matter for all defendants shall be continued to January 22, 2024, and that pretrial motions shall be filed no later than December 8, 2023.

DONE this 29th day of June, 2023.

John C. Coyne, Jr.

JOHN C. COUGHENOUR
UNITED STATES DISTRICT JUDGE

Presented by:

s/ Jesse Cantor
Assistant Federal Public Defender
Attorney for Fernando Mercado-Castro